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ACTION L-03

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SUBJECT: DIPLOMATIC CONFERENCE ON INTERNATIONAL HUMANIT-
ARIAN LAW - WEEKLY REPORT - APRIL 14-15.

SUMMARY: FOURTH SESSION OF DIPLOMATIC CONFERENCE ON
INTERNATIONAL HUMANITARIAN LAW APPLICABLE IN ARMED CON-
FLICTS RECONVENED ON APRIL 14. AFTER A SHORT OPENING
CONFERENCE PLENARY MEETING PRESIDED OVER BY MR. GRABER,
MAIN COMMITTEES RESUMED WORK. END SUMMARY.

1. FOURTH SESSION OF THE DIPLOMATIC CONFERENCE ON THE
REAFFIRMATION AND DEVELOPMENT OF INTERNATIONAL HUMANI-
TARIAN LAW APPLICABLE IN ARMED CONFLICTS RECONVENED ON
APRIL 14. IN SHORT CONFERENCE PLENARY SESSION PRESIDENT
GRABER COMMENDED DRAFTING COMMITTEE FOR ITS INTENSIVE WORK
ON ARTICLES PREVIOUSLY ADOPTED BY MAIN COMMITTEES. HE
CALLED ON ALL PARTICIPANTS TO CONCENTRATE DURING THE
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NEXT EIGHT WEEKS ON REACHING A SUCCESSFUL CONCLUSION.

2. COMMITTEE I CREATED A NEW WORKING GROUP C ON FINAL
ARTICLES AND ELECTED JUSTICE HUSSAIN OF PAKISTAN AS
WORKING GROUP CHAIRMAN. THIS GROUP WILL COMMENCE WORK
ON THE FINAL ARTICLES ON APRIL 22. WORKING GROUPS A
(PROTOCOL I) AND B (PROTOCOL II) BEGAN MEETING ON

APRIL 15. ARTICLE 77 (SUPERIOR ORDERS) WAS RECEIVED NEGATIVELY BY ARAB STATES, BUT WAS GENERALLY SUPPORTED BY EASTERN, WESTERN, AND AFRICAN NATIONS. THE U.S. VIEW THAT IT SHOULD DEAL WITH BOTH GRAVE AND NON-GRAVE BREACHES RECEIVED LITTLE SUPPORT. U.S. COMMITTEE I MEMBERS WERE APPROACHED BY THE ISRAELI DELEGATES ON ARTICLE 2 BIS (RED SHIELD OF DAVID) AND INDICATED THAT THE U.S. WOULD SUPPORT ISRAEL IF THE ARTICLE WERE TO BE PUT TO A VOTE. U.S. DELEGATION STRONGLY DISCOURAGED PUTTING THE MATTER TO A VOTE, HOWEVER, AND ISRAELIS INDICATED THAT THEY HAVE NOT YET MADE FINAL DECISION.

3. COMMITTEE II DECIDED TO ESTABLISH TWO WORKING GROUPS, ONE DEALING WITH CIVIL DEFENSE, AND CHAIRED BY SOLF, (US), THE OTHER DEALING WITH RELIEF AND CHAIRED BY YAKOVLEVIC (YUGOSLAVIA). COMMITTEE PLENARY SESSION WAS HELD ON CIVIL DEFENSE, AND THE "NORDIC" AMENDMENTS GROWING OUT OF RECENT WESTERN CONSULTATIONS WERE INTRODUCED AND REFERRED TO THE WORKING GROUP WHICH NOW HAS THE ENTIRE SUBJECT MATTER FOR CONSIDERATION. A SECOND PLENARY WAS HELD ON RELIEF. ALL PRELIMINARY MATTER WAS COMPLETED, AND THE TESTS REFERRED TO THE WORKING GROUP. THE DEBATE ON RELIEF WAS CONSTRUCTIVE AND WE BELIEVE THAT THE WORKING GROUP WILL BE ABLE TO DEVELOP CONSENSUS ARTICLES EXPEDITIOUSLY.

4. COMMITTEE III OPENED ITS SESSION ON FRIDAY A.M. AFTER CONSIDERABLE DISCUSSION, THE CHAIRMAN AGREED TO LIMITED OFFICIAL USE

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DELAY THE VOTE ON ARTICLE 42 (NEW CATEGORY OF PRISONERS OF WAR) UNTIL APRIL 22. FRG, ITALY, FRANCE, UK AND CANADA ALL DESIRED DELAY IN ORDER TO CLARIFY OR MODIFY THEIR INSTRUCTIONS, WHICH PRESENTLY ARE NEGATIVE. COMMITTEE ACCEPTED WITHOUT OBJECTION RULING THAT THERE WOULD BE NO FURTHER DISCUSSION OF THE ARTICLE IN COMMITTEE PRIOR TO THE VOTE. ARABS HAVE DROPPED THEIR PROPOSED ARTICLE 49 BIS (PROTECTION OF OIL RESOURCES). DISCUSSION ON ARTICLE 42 QUATER (MERCENARIES) HAS BEEN DELAYED AT THE REQUEST OF THE NIGERIAN DELEGATION TO ALLOW FURTHER INFORMAL CONSULTATIONS. THE WORKING GROUP FOR COMMITTEE III MET FOR THE FIRST TIME FRIDAY AFTERNOON AND DISCUSSED ARTICLE 65 (FUNDAMENTAL GUARANTEES).

5. AD HOC COMMITTEE ON CONVENTIONAL WEAPONS. CHAIRMAN OF AD HOC COMMITTEE HAS SCHEDULED A MEETING OF TEN DELEGATIONS (INCLUDING U.S.) FOR MONDAY, APRIL 18. AGENDA HAS NOT BEEN ANNOUNCED; HOWEVER, IT IS ASSUMED THAT THE MEETING WILL COVER PLANS FOR THE ORGANIZATIONAL

MEETING OF THE COMMITTEE SCHEDULED FOR APRIL 19.
STARTING DATE FOR SUBSTANTIVE WORK OF THE COMMITTEE IS
UNCLEAR; HOWEVER, A NUMBER OF DELEGATIONS SUPPORT THE
CONCEPT THAT DISCUSSION OF CONVENTIONAL WEAPONS MATTERS
BE POSTPONED UNTIL MOST OF COMMITTEE III WORK IS
COMPLETED.SORENSEN

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